



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Rodriguez, et. al.

Serial No.: 09/704,573

Filed: November 3, 2000

Title: System and Method for Updating
User Home Automation Systems

§ Group Art Unit: 3629

§

§

§ Examiner: Borrissov, Igor N.

§

§ Attorney Docket No. AUS920000484US1

§

§ IBM Corporation, IP Law Department

§ 11400 Burnet Road

§ Internal Zip 4054

§ Austin, Texas 78758

Certificate of Mailing Under C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

By: Leslie A. Van Leeuwen

Leslie A. Van Leeuwen

11/9/04

Date

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALS

Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicant hereby appeals to the Board of Appeals from the Decision of the Primary Examiner mailed August 9, 2004, finally rejecting claims 6-9, 11-13, 18-20, and 25-37.

The item(s) marked below are appropriate:

1. A petition and fee for extension of term for reply to the final rejection is attached.
2. X Appeal fee
 X other than a small entity. Fee: \$340.00
3. X Payment
 X Please charge Deposit Account 09-0447 the sum of \$340.00. A duplicate of this notice is attached.

11/17/2004 MBIZUNES 00000009 090447 09704573

01 FC:1401 340.00 DA

Respectfully submitted,

By Leslie A. Van Leeuwen

Leslie A. Van Leeuwen

Attorney for Applicant

Registration No. 42,196

Telephone: (512) 301-6738

Facsimile: (512) 301-6742